

***AGRICULTURE
&
NATURAL RESOURCES
COMMITTEE***

***Washington State House of
Representatives***

**FINAL REPORT
2003 LEGISLATIVE SESSIONS**

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BILL NO.	PRIME SPONSORS	SUMMARY	SINE DIE STATUS
2SHB 1095	Rockefeller, Sump, Linville	Limiting the Impact on Small Forest Landowners Caused by Forest Road Maintenance and Abandonment Requirements. - Alters the road maintenance and abandonment plan requirements for small forest landowners, including the creation of a simplified checklist plan. Establishes a cost-share program to provide financial assistance to small forest landowners for the removal of fish blockages. Defines certain terms as they affect road maintenance and abandonment plans. Exempts checklist road maintenance and abandonment plans from the continuing obligation requirements of the Forest Practices Rules. (JC)	Chapter 311, Laws of 2003
SHB 1100	Linville, Schoesler, Grant	Regulating the Sale, Processing, or Purchase of Agricultural Products. - Alters certain bonding and payment requirements under the commission merchant laws and increases penalties for violations. Authorizes search warrants to be sought in certain circumstances; and expands the commodities for which vehicles carrying commodities may be stopped regarding violations of the commission merchant laws and requires prompt actions to be taken if the vehicle is transporting a perishable commodity so that the vehicle can then continue to its destination. Requires the Department of Agriculture to conduct a study regarding means of providing financial recovery for producers of agricultural seed in cases of non-payment. (KH)	Chapter 395, Laws of 2003
HB 1101	Schoesler, Linville, Grant	Forwarding Grain When an Emergency Storage Situation Exists. - Allows, during a grain storage emergency, an extension of the time during which grain may be forwarded from one warehouse to another without the re-issuance of a negotiable receipt for the grain. (KH)	Chapter 13, Laws of 2003
SHB 1113	Hinkle, Linville, Schoesler	Regarding Irrigation District Boards of Joint Control. - Allows certain private and public entities to establish or join a board of joint control with an irrigation district or an operating entity for a federal reclamation project. Specifies private entities must be allocated less than 50 percent of the votes on a board of joint control. Specifies any change in place of use from a transfer of water between individual entities of a board of joint control must not reduce the total water supply available in a federal reclamation project. Requires a board of joint control to consult with the federal Bureau of Reclamation when determining whether such a reduction may occur. Requires a board of joint control created after January 1, 2003, to notify the Department of Ecology and any Indian tribe requesting notice of water transfers between individual board entities. Amends definitions in board statutes. (CD)	Chapter 306, Laws of 2003
HB 1117	Linville, Schoesler, Grant	Moving a Web Site Address from Statute to Rule. - Alters label requirements for a commercial fertilizer identifying the internet address at which information regarding certain contents of the fertilizer is to be available. (KH)	Chapter 15, Laws of 2003

BILL NO.	PRIME SPONSORS	SUMMARY	SINE DIE STATUS
HB 1126	Schoesler, Linville	Allowing Seed Testing Fees to Increase in Excess of the Fiscal Growth Factor. - Authorizes the Department of Agriculture to increase certain fees levied under the seed laws in excess of the fiscal growth factor under specified conditions. (KH)	Chapter 308, Laws of 2003
HB 1246	Linville, Schoesler, Rockefeller	Authorizing the Department of Natural Resources to Accept Gifts of Aquatic Land. - Authorizes the Department of Natural Resources to accept gifts of aquatic lands. (JC)	Chapter 176, Laws of 2003
SHB 1250	Eickmeyer, Schoesler, Linville	Determining Annual Rental Rates for the Lease of State-owned Aquatic Lands for Qualifying Marinas. - Establishes the rent formula as a percentage of a marina's gross revenues, as set by the Department of Natural Resources. Requires marinas to return income reporting forms. (JC)	Chapter 310, Laws of 2003
EHB 1252	Linville, Schoesler, Rockefeller	Making Technical, Nonsubstantive, Corrections to and Recodifying Various Department of Natural Resources' Public Land Statutes. - Consolidates and updates the statutory language that governs the Department of Natural Resources' upland proprietary responsibilities without making substantive changes. (JC) <i>Partial Veto:</i> The Governor vetoed a section that made technical corrections to a section of law that grants the Department of Natural Resources authority to adopt and enforce rules pertaining to public use of state-owned lands.	Chapter 334, Laws of 2003 (Partial Veto)
SHB 1269	Linville, Schoesler	Regulating Structural Pest Inspectors. - Identifies the types of inspections for which a person must be licensed as a structural pest inspector and requires certain evidence of financial responsibility for such a license and authorizes other evidence. Requires businesses that conduct structural pest inspections also to be licensed. Requires certain structural inspections to be "complete wood destroying organism inspections." (KH)	Chapter 212, Laws of 2003
2E2SHB 1336	Linville, Kirby, Grant	Concerning Watershed Planning. - Allows planning units to coordinate and oversee the implementation of watershed plans and authorizes a state, Phase IV watershed grant program for these activities. Requires a 10 percent local match for the grants and requires planning units receiving the grants to prepare detailed implementation plans with time-lines and interim milestones for providing sufficient water for instream and out-of-stream objectives. Authorizes counties in a watershed to opt out of watershed planning under certain circumstances. Allows the Department of Ecology (DOE) to develop and adopt modifications to watershed plans through a form of negotiated rule-making that uses the processes that were used in developing the plan. Requires planning units to identify and seek to eliminate planning activities in the watershed that create duplication or inconsistencies. Requires the DOE to report to the Legislature annually on progress in setting instream flows. Requires the DOE to use a watershed plan as the framework for water resource decisions in the watershed. Authorizes state agency policies, agreements, and procedures to be adopted for implementing a plan in lieu of rules with the consent of the planning unit. (KH)	Chapter 4, Laws of 2003 1st Special Session

BILL NO.	PRIME SPONSORS	SUMMARY	SINE DIE STATUS
2E2SHB 1338	Linville, Kirby, Lantz	<p>Providing Additional Certainty for Municipal Water Rights. -</p> <p>Defines which water rights are held for municipal water supply purposes and establishes provisions regarding such rights. Declares the rights represented by certificates issued under a "pumps and pipes" principle to be rights in good standing and identifies when the certificates for municipal water rights may be corrected. Identifies how the "place of use" of a municipal water supplier's water right may be the same as the supplier's service area and when limitations found in water right documents do not limit the number of service connections or population that may be served under a municipal water right. Allows municipal water rights to be used for certain environmental objectives. Authorizes the transfer of inchoate, municipal surface water rights under certain circumstances. Requires water service under water system plans for new industrial, commercial, and residential uses to be consistent with comprehensive plans, land use plans, and development regulations of cities, towns, and counties and establishes a duty for a municipal supplier to serve new residences in its retail service area under certain criteria. Requires a prioritization of certain streamflow restoration expenditures. Requires certain water conservation planning and practices by water systems and authorizes the Department of Health to adopt rules regarding the planning and practices. Authorizes certain watershed agreements on a pilot project basis. Levies a fee of 25 cents per residential hook up on municipal water suppliers until June 30, 2007, to provide funding for certain water conservation activities. (KH)</p>	Chapter 5, Laws of 2003 1st Special Session

BILL NO.	PRIME SPONSORS	SUMMARY	SINE DIE STATUS
HB 1361	Linville, Schoesler, Grant	<p>Increasing the Powers of the State Agricultural Commodity Commissions. - Includes provisions regarding commodity commissions and commodity boards established according to the Washington Agricultural Enabling Act (the 1955 enabling statutes), the Washington State Agricultural Enabling Act (the 1961 enabling statutes), commissions related to soft tree fruits, the Dairy Products Commission, the Beef Commission, and the Wine Commission: (1) authorizing the Director of Agriculture (Director) to appoint members; (2) repealing, revising, and adding various provisions regarding election or appointment of members; (3) specifying the Director serves as a voting member; (4) requiring each commodity commission or board to develop and submit for the Director's approval any plans, programs, and projects related to commodity advertising and promotion programs and market research and development projects; (5) requiring the Director to review advertising or promotion programs to ensure no false claims are made regarding the commodity; (6) requiring the Director to approve research plans, education and training plans, and budgets; (7) requiring commissions or boards to pay for the Department of Agriculture's costs associated with these approvals; and (8) directing each commission or board to, with the Director's oversight, speak on behalf of the state government with respect to its commodity. Specifies in the Dairy Products Commission statutes that no liability for commission debts or actions exists against the state or any subdivision of the state.</p> <p>Includes the following provisions specific to the commodity commissions created under the 1955 enabling statutes: (1) authorization for a commission to: (a) request and audit records of producers or handlers of the affected commodity to determine whether the appropriate assessment has been paid; (b) acquire or own intellectual property rights, licenses, or patents related to the affected commodity; and (c) collect royalties resulting from commission-funded research related to the affected commodity; (2) increase in the number of members from 13 to 15; (3) authority for the commission to assist and cooperate with the Department of Agriculture or any other federal, state, or local agency in investigating and controlling exotic pests and diseases that could damage or affect trade of the affected commodity; and (4) addition of references to statutes governing management and investment of state funds in commission statutes regarding investments. (CD)</p>	Chapter 396, Laws of 2003
SHB 1380	Ericksen, Sump, Mielke	<p>Criminalizing Interference with Certain Mining Rights and Activities. - Creates the crime of mineral trespass as a Class C felony and ranks the crime in the adult and juvenile offender sentencing systems. Includes provisions specifying circumstances in which the crime occurs and to which the crime does not apply. Defines terms related to mining activities for purposes of establishing the crime. (CD)</p>	Chapter 335, Laws of 2003

BILL NO.	PRIME SPONSORS	SUMMARY	SINE DIE STATUS
E2SHB 1418	Quall, Schoesler, Blake	<p>Regarding Construction Projects in State Waters. - Exempts tide gates, flood gates, and associated man-made agricultural drainage facilities from the fishway requirements. Defines tide gate as a one-way check valve that prevents the backflow of tidal water. Prohibits the Department of Fish and Wildlife (DFW) from requiring a fishway on a tide gate, flood gate, or other associated man-made agricultural drainage facilities as a condition of hydraulic project approval (HPA) if not originally installed as part of the system before the legislation's effective date. Requires the DFW to authorize and pay for the removal of the self-regulating function of a tide gate upon request. Authorizes the creation of a task force to address intertidal salmon habitat issues for any geographic area in which a limiting factors analysis shows insufficient intertidal salmon habitat. Specifies the process for establishing a task force, appointment of members, participation by federal agencies and tribes, task force duties, and governance provisions. Requires the Conservation Commission to staff any task force created under these provisions. Authorizes the Conservation Commission to contract for assessments and studies to develop task force plan elements. Requires a task force process to be initiated in Skagit County as soon as practicable. Includes an emergency clause for these provisions to take effect immediately. (CD)</p> <p>Partial Veto: The Governor vetoed the provision requiring the Department of Fish and Wildlife to authorize and pay for the removal of the self-regulating function of any SRT installed because of a condition imposed by the DFW in a HPA or during implementation of fish passage requirements upon request of either an adversely affected agricultural land owner or the associated diking and drainage district.</p>	Chapter 391, Laws of 2003 (Partial Veto)
HB 1420	Quall, Schoesler, Eickmeyer	<p>Allowing Special Districts to Provide Drainage Ditches and Tide Gates. - Expressly includes drainage ditches, tide gates, and flood gates among the facilities that certain special purpose districts are authorized construct, acquire, operate and maintain. (KH)</p>	Chapter 392, Laws of 2003
HB 1435	Armstrong, Linville, Schoesler	<p>Concerning the Fruit and Vegetable District Fund. - Extends the date by which monies transferred from a district fruit and vegetable fund in 1997 must be expended for apple maggot control activities or be transferred to a district account within the Fruit and Vegetable Inspection Account. (KH)</p>	Chapter 14, Laws of 2003
ESHB 1640	Linville, Hinkle, Grant	<p>Authorizing Water Banking Within the Trust Water Program. - Authorizes the Department of Ecology to use the trust water rights program in the Yakima River basin for water banking purposes. Specifies procedures for application to transfer and the transfer of water rights for water banking purposes. Requires reports to the Legislature regarding comments received on water banking and evaluation of water banking. Includes provisions regarding the interpretations of water banking provisions. Includes definitions and legislative findings regarding the benefits and uses of water banking. (CD)</p>	Chapter 144, Laws of 2003

BILL NO.	PRIME SPONSORS	SUMMARY	SINE DIE STATUS
ESHB 1754	Eickmeyer, Schoesler, Sump	Concerning the Slaughter, Preparation, and Sale of Chickens. - Under certain circumstances, exempts the slaughter and preparation of 1,000 or fewer chickens in a calendar year and their on-farm sale from the requirements of the state's custom slaughter laws. Requires a special, temporary permit for this activity and sale under the state's Food Processing Act and establishes a \$75 permit fee. (KH)	Chapter 397, Laws of 2003
HB 2063	Kristiansen, Blake, Linville	Extending the Expiration Date for Reporting Requirements on Timber Purchases. - Delays the expiration date of a requirement that data about timber purchases be reported to the Department of Revenue from 2004 until 2007. (JC)	Chapter 315, Laws of 2003
EHB 2067	Schoesler, Cox	Permitting Withdrawals of Public Ground Waters. - Establishes a pilot project for Whitman County that exempts, from water permit requirements, withdrawals of ground water for certain clustered residential developments of at least six homes for up to 1,200 gallons a day per residence. Terminates certain new uses of the exemption on December 31, 2015. (KH)	Chapter 307, Laws of 2003
ESHB 2088	Schoesler, Chandler, Linville	Revising Provisions Relating to Storm Water Rates and Charges. - Requires local governments operating storm water sewer facilities to reduce rates and charges by a minimum of 10 percent for any new or remodeled commercial building that utilizes a permissive rainwater harvesting system meeting certain requirements. Prohibits counties from imposing storm water sewer system rates and charges on lands taxed as either forest land or as timber land according to state law. (CD)	Chapter 394, Laws of 2003
SSB 5006	Jacobsen, Haugen	Allowing Nonconsumptive Wildlife Activities on Public Lands. - Requires the DNR to make all lands leased for grazing or agricultural activities open and available for nonconsumptive wildlife activities. Directs the Board of Natural Resources to define the term "nonconsumptive wildlife activities." Adds nonconsumptive wildlife activities to the list of multiple uses that may occur on state-owned lands. (JC)	Chapter 182, Laws of 2003
ESSB 5028	Morton, Hale	Clarifying the State's Authority to Regulate Water Pollution. - Allows the Department of Ecology (DOE) to use voluntary, incentive-based methods to meet water quality standards not reasonably met through water pollution control permits or regulatory orders. Prohibits the DOE from impacting the ability to fully divert or withdraw water under a water right permit, certificate, statutory exemption, or claim through exercise of water pollution control authority. Includes provisions specific to the DOE's authority to apply water quality standards for federally licensed hydropower projects. Authorizes sequence of enforcement actions for situations involving water waste. Replaces \$100 per day penalty under the water code with authority to impose penalties of \$100 to \$5,000 per day. (CD)	Chapter 15, Laws of 2003 1st Special Session
SB 5042	Sheldon, T., Morton, Fraser	Authorizing the Department of Natural Resources to Enter Contracts That Indemnify Another Party Against Loss or Damage. - Provides the Department of Natural Resources (DNR) with the discretionary authority to indemnify a contracting party against loss or damage. Requires the DNR to indemnify any third party that does not receive a direct benefit from a right-of-way or easement contract. (JC)	Chapter 312, Laws of 2003

BILL NO.	PRIME SPONSORS	SUMMARY	SINE DIE STATUS
ESB 5073	Fraser, Honeyford, Hale	<p>Adopting Provisions for Cooperative Watershed Management Plans. - Authorizes local governments and certain special purpose districts to establish interlocal agreements for watershed management plan implementation. Includes operation and financing provisions for watershed management partnerships. Allows use of a portion of water supply revenues for plan projects and activities. (CD)</p> <p>Partial Veto: The Governor vetoed provisions authorizing public agencies forming a watershed management partnership to develop and implement a financing plan for elements of the watershed management plan and specifying requirements for development of and a public vote on the financing plan.</p>	Chapter 327, Laws of 2003 (Partial Veto)
2SSB 5074	Morton, Oke, Doumit	<p>Establishing Contract Harvesting of Timber on State Trust Lands. - Authorizes the Department of Natural Resources to sell up to 10 percent of the total annual volume of timber offered for sale from state forest lands through a contract harvesting process. Creates the Contract Harvesting Revolving Account to handle receipts from contract harvesting sales. (JC)</p>	Chapter 313, Laws of 2003
SB 5076	Morton, Fraser, Sheldon, T.	<p>Determining a "Highest Responsible Bidder" for Valuable Materials from State-owned Aquatic Lands. - Allows the Department of Natural Resources to consider, before awarding a contract for the sale of valuable materials, whether a high bidder has within the past five years failed to execute other sales in which he or she was the high bidder. (JC)</p>	Chapter 28, Laws of 2003
SSB 5088	Regala, Winsley, Franklin	<p>Recognizing That the Use of Certain Land in Tacoma, for School Purposes, Is Valid and Meets the Requirements of Section 2, Chapter 123, Laws of 1907. - Allows a portion of property dedicated in 1907 by the State of Washington to the City of Tacoma to be used for expansion of public school facilities. (CD)</p>	Chapter 29, Laws of 2003
SSB 5144	Morton, Oke	<p>Protecting Forest Land from Exotic Forest Insects or Diseases. - Provides authority and direction to the Department of Natural Resources to declare a forest health emergency. Exempts certain forest health emergency control operations from some of the requirements of the Forest Practices Act. Provides direction to the Department of Agriculture and the Department of Natural Resources as to how they must address Sudden Oak Death Syndrome. (JC)</p>	Chapter 314, Laws of 2003
SSB 5305	Mulliken, Sheldon, T., Sheahan	<p>Reviewing the State's Need for Construction Aggregates. - Forms a nine-person committee to study the state's need for construction aggregates. (JC)</p>	Chapter 243, Laws of 2003
ESB 5343	Parlette, Doumit, Mulliken	<p>Allowing WRIA 40 to Be Divided for the Purposes of Watershed Planning. - Divides water resource inventory area (WRIA) number 40 into two parts; and allows the northern portion containing two subbasins to be eligible for one-fourth of the grant monies available for conducting planning in a single WRIA, and allows the remaining portion of the WRIA to be eligible for the remaining three-fourths of those monies. (KH)</p>	Chapter 328, Laws of 2003

BILL NO.	PRIME SPONSORS	SUMMARY	SINE DIE STATUS
SSB 5575	Parlette, Morton, Doumit	Concerning Small Irrigation Impoundments. - Exempts facilities that recapture and reuse return flow from irrigation operations serving a single farm and certain other small irrigation impoundments from the reservoir and secondary use permit requirements of the water code. (KH)	Chapter 329, Laws of 2003
SSB 5751	Hargrove	Concerning the Sale of Valuable Material from State Lands. - Changes the maximum dollar amount for directly sold valuable materials from \$20,000 to \$25,000. Enlarges the \$100,000 cap for valuable material sales that are eligible for the alternative notice to \$250,000, and allows valuable material sales that are appraised at less than \$250,000 to be excluded from the Department of Natural Resources' pamphlet of sales. (JC)	Chapter 381, Laws of 2003
SSB 5787	Morton, Prentice, Hale	Protecting Water Quality. - Allows the Department of Ecology (DOE) to require the use of leaching tests included in the Model Toxics Control Act (MTCA) soil clean-up rules for water quality certifications to assess the potential impact to water quality from the importation of fill material. Ratifies and approves any requirement for use of a leaching test included in the MTCA rules in a water quality certification for work not completed by June 1, 2003. Requires the DOE to identify and assess the effectiveness of the leaching tests used for evaluating potential water quality impacts from fill material importation and to report the results of the assessment to the Legislature. Includes an emergency clause for the provisions to take effect immediately. (CD)	Chapter 210, Laws of 2003
ESSB 5889	Swecker, Rasmussen	Concerning a Livestock Nutrient Management Program. - Transfers the dairy nutrient management program to the Department of Agriculture (WSDA). Authorizes the Department of Ecology (DOE) to delegate its water quality authority regarding animal feeding operations (AFOs) and concentrated animal feeding operations (CAFOs) to the WSDA. Preserves the DOE's authority to issue water quality permits and take action regarding AFOs and CAFOs after program transfer unless the DOE delegates its federal Clean Water Act authority to the WSDA and until the delegation receives federal approval. Includes provisions for development of a livestock nutrient management program based on delegated authority. Establishes a committee to evaluate the federal CAFO rules and make recommendations regarding statutory changes and program development and implementation. Allows agency discretion in imposing penalties for failure to meet plan approval and certification deadlines if failure is due to a lack of state funding. Replaces the Dairy Waste Management Account with the Livestock Nutrient Management Account. (CD)	Chapter 325, Laws of 2003

BILL NO.	PRIME SPONSORS	SUMMARY	SINE DIE STATUS
SSB 5891	Swecker, Rasmussen	Identifying Livestock. - Broadens the nature of "livestock identification" to include expressly the examination of documents regarding ownership. Increases the fees charged under the livestock identification, certified feed lot, and public livestock market laws and alters the period during which a recorded brand is valid. Identifies the evidence of ownership that must accompany cattle or horses when they are moved, and provides exemptions to this requirement. Requires certain information regarding the operation of certified feed lots. Alters requirements for public livestock market licenses and the information to be contained in applications for such licenses. No longer requires the veterinarian at a public livestock market to be a deputy State Veterinarian. Alters who must and who may receive "special sales" permits. (KH)	Chapter 326, Laws of 2003
SSJM 8002	Morton, Hewitt, Sheahan	Requesting Forest Health-related Management Activities on All State and National Forests in Washington State. - Requests the federal government to take certain forest health measures. (JC)	Filed with the Secretary of State
SJM 8015	Sheahan, Hale, Rasmussen	Petitioning Congress to Adopt Procedures for Selling Wheat Reserves That Preserve the Integrity of the Market. - Requests new federal procedures for future sales of wheat stocks from federally held grain reserves. (KH)	Filed with the Secretary of State

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TO THE BILLS REPORTED FROM THE
AGRICULTURE & NATURAL RESOURCES COMMITTEE
BUT NOT PASSED BY THE LEGISLATURE
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ESHB 1803	Recreation & Conservation Trust
SB 5075	Gifts of Aquatic Lands
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SHB 1876	Water Quality Leaching Test
SHB 1888	Wastewater Discharge Permits - Notices

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SSB 5145	Public Ground Water Withdrawals - Residential
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Final Report

**Bills Reported from the
AGRICULTURE & NATURAL RESOURCES COMMITTEE
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BILL NO.	PRIME SPONSORS	SUMMARY	SINE DIE STATUS
2SHB 1245	Linville, Schoesler, Rockefeller	Establishing Contract Harvesting of Timber on State Trust Lands. - Authorizes the Department of Natural Resources to sell up to 10 percent of the total annual volume of timber offered for sale from state forest lands through a contract harvesting process. Creates the Contract Harvesting Revolving Account to handle receipts from contract harvesting sales. (JC)	H Rules 3C (The bill reached S Natural Res, Energy and Water before the end of the Regular Session. It is similar to 2SSB 5074 which was enacted as Chapter 313, Laws of 2003.)
HB 1247	Eickmeyer, Schoesler, Rockefeller	Determining a "Highest Responsible Bidder" for Valuable Materials from State-owned Aquatic Lands. - Allows the Department of Natural Resources to consider, before rewarding a contract for the sale of valuable materials, whether a high bidder has within the past five years failed to execute other sales in which he or she was the high bidder. (JC)	H Rules 3C (The bill reached S Natural Res, Energy and Water before the end of the Regular Session. It is similar to SB 5076 which was enacted as Chapter 28, Laws of 2003)
HB 1248	Linville, Schoesler, Rockefeller	Concerning the Relocation of Harbor Lines. - Authorizes the Harbor Line Commission to amend the harbor lines for all of the state's harbors. (JC)	H Rules 3C (The bill reached S Natural Res, Energy and Water before the end of the Regular Session.)
SHB 1249	Rockefeller, Schoesler, Orcutt	Authorizing the Department of Natural Resources to Enter Contracts That Indemnify Another Party Against Loss or Damage. - Provides the Department of Natural Resources (DNR) with the discretionary authority to indemnify a contracting party against loss or damage. Requires the DNR to indemnify any third party that does not receive a direct benefit from a right-of-way or easement contract. (JC)	H Rules 3C (The bill reached S 2nd Reading before the end of the Regular Session. It is similar to SB 5042 which was enacted as Chapter 312, Laws of 2003.)

BILL NO.	PRIME SPONSORS	SUMMARY	SINE DIE STATUS
SHB 1251	Eickmeyer, Schoesler, Linville	Protecting Forest Land from Exotic Forest Insects or Diseases. - Provides authority and direction to the Department of Natural Resources to declare a forest health emergency. Exempts certain forest health emergency control operations from some of the requirements of the Forest Practices Act. (JC)	H Rules 3C (The bill reached S Natural Res, Energy and Water before the end of the Regular Session. It is similar to SSB 5144 which was enacted as Chapter 314, Laws of 2003.)
SHB 1260	Buck, Hatfield, Sump	Concerning Environmental Impact Statements on Certain State Trust Lands. - Exempts certain state timber sales from the environmental impact statement (EIS) requirements of the State Environmental Policy Act (SEPA). (JC)	H Rules X
ESHB 1317	Linville, Kirby, Grant	Enhancing the Effectiveness of the Trust Water Rights Program. - (As Amended by Senate NREW Committee, S-2896.2) Consolidates the two state trust water rights programs (Yakima River basin program and general program), repeals the Yakima River basin program statutes, and reorganizes and revises the general program statutes. Allows trust water rights to be established from ground or surface water permits, certificates, claims, and storage and secondary use rights. Requires the Department of Ecology (DOE) to establish expedited notice for establishment of trust water rights during periods of formally declared droughts. Includes specific notice requirements and procedures for establishment of temporary trust water rights. Adds legislative finding regarding the role of the trust water rights program with respect to water rights and needs in the Yakima River basin. (CD)	H Rules 3C (The bill reached S 2nd Reading before the end of the Regular Session.)
ESHB 1337	Rockefeller, Schoesler, Lantz	Concerning Additional or Replacement Wells. - Authorizes changes of existing ground water rights to new locations within a water resource inventory area (WRIA) or in an adjacent WRIA, instead of new locations tapping the same water body. Authorizes the use of other existing wells to exercise a water right under certain circumstances. Expands the area in which new or replacement wells may be constructed under an existing right without a requirement that departmental approval be obtained; and identifies a new area in which new locations for wells may be authorized through a notification and publication process. (KH)	H Rules 3C (The bill reached S Rules 2 before the end of the Regular Session. It is similar to SSB 5023 which reached H 2nd Reading before the end of the Regular Session.)
EHB 1376	Romero, Dickerson, Schoesler	Exempting the Use of Certain Water Storage Facilities from the Water Code Permitting Requirements. - Exempts certain rain barrels and similar facilities and the use of water from them from provisions of the water code requiring reservoir and water use permits. (KH)	H Rules C (The bill was in dispute between the House and Senate at end of the Regular Session.)

BILL NO.	PRIME SPONSORS	SUMMARY	SINE DIE STATUS
HB 1534	Condotta, Schoesler, Chandler	Clarifying the State's Authority to Regulate Water Pollution. - Amends the definition of "pollution" in the state water pollution control statutes to exclude the exercise of a water right, claim, permit, or certificate granted under state law. Specifies for enforcement actions the Department of Ecology may rely only on authority statutes regarding surface waters, ground waters, and water rights to condition, limit, regulate, or control any claim, permit, or certificate to withdraw or divert water. (CD)	H Rules X (The bill is on the same subject as ESSB 5028 which was enacted as Chapter 15, Laws of 2003 1st Special Session.)
SHB 1625	Linville, Schoesler	Levying an Assessment on Certain Agricultural Plants. - Allows the horticultural assessment on fruit trees and certain ornamentals to be increased beyond the fiscal growth factor for the fiscal year ending June 30, 2004, under certain circumstances. (KH)	H Appropriations
HB 1677	Shabro, Newhouse, Bailey	Authorizing a County to Exempt Certain Property Used in Agriculture from Taxation. - Provides counties with the discretionary authority to exempt a farmer's machinery and equipment from the county's property tax. (JC)	H Rules 3C (The bill reached S Ways & Means before the end of the Regular Session.)
ESHB 1689	Linville, Schoesler, Cooper	Implementing the Federal Permit Requirements for Municipal Separate Storm Sewer System Permits. - (As Amended by the Senate, S-3066.3) Requires creation of three advisory groups for development of municipal separate storm sewer system (MS4) permits according to federal Clean Water Act requirements, specifying separate groups for western Washington areas draining to Puget Sound, coastal and southwestern Washington areas, and eastern Washington (using the existing eastern Washington storm water advisory group). Identifies issues that the advisory groups must consider and on which the advisory groups must make recommendations. Includes provisions for creation of an executive committee and selection of a facilitator to work with the Puget Sound advisory group. Requires reports to the Legislature. Expires the advisory group provisions in 2005. Includes legislative findings regarding local governments' storm water management efforts, potential for integration of MS4 permit programs, and differences among the state's geographic regions. (CD)	H Rules 3C (The bill was in dispute between the House and Senate and then re-amended by the Senate at the end of the Regular Session.)
ESHB 1803	Linville, Rockefeller, Anderson	Studying the Creation of the Legacy Trust Proposal. - Creates the Joint Select Committee on the Legacy Trust Proposal. Provides the Department of Natural Resources with temporary authority to hold gifted lands separate from state land trusts. (JC)	H Rules 3C (The bill reached S Parks, Fish & Wildlife before the end of the Regular Session.)
SHB 1876	Linville, Jarrett, Murray	Protecting Water Quality. - Allows the Department of Ecology (DOE) to require the use of leaching tests included in the Model Toxics Control Act (MTCA) soil clean-up rules for water quality certifications to assess the potential impact to water quality from the importation of fill material. Ratifies and approves any requirement for use of a leaching test included in the MTCA rules in a water quality certification for work not completed by June 1, 2003. Requires the DOE to identify and assess the effectiveness of the leaching tests used for evaluating potential water quality impacts from fill material importation and to report the results to the Legislature. (CD)	H Rules X (The bill is similar to SSB 5787 which was enacted as Chapter 210, Laws of 2003.)

BILL NO.	PRIME SPONSORS	SUMMARY	SINE DIE STATUS
SHB 1888	Linville, Schoesler	Changing the public notification requirements with respect to wastewater discharge permits. - Requires the Department of Ecology (rather than the applicant) to provide notice of applications for wastewater discharge permits. Allows the use of methods other than newspaper publication for public notice of wastewater permit applications.	H Rules X
HB 1890	Chandler, Linville, Holmquist	Increasing the Apple Commission from Thirteen to Fifteen Members. - Expands the voting membership of the Apple Commission by adding two producer members and alters eligibility requirements for producer members of the Commission. (KH)	H Rules 3C (The bill reached S 2nd Reading before the end of the Regular Session.)
SHB 1999	Grant, Schoesler, Linville	Concerning Nonuse of Water for Water Conservation Measures. - Expands the exemption from relinquishment provided for water conservation in the Yakima basin by exempting water resulting from other irrigation and agricultural water conservation measures. Allows this newly exempted conserved water to be transferred under certain circumstances. (KH)	H Rules X
HB 2032	Linville	Adopting a Schedule for Establishing Instream Flows by Rule. - Adopts, as a recommended schedule, the schedule contained in the work plan for establishing instream flows by rule in a December 12, 2002 report. (KH)	H Rules X
HB 2048	Schoesler, Linville, Holmquist	Concerning a Livestock Identification Program. - Describes the purposes of a livestock identification program. (KH)	H Rules X
HB 2106	Linville, McCoy, Eickmeyer	Regarding Fundamentals for Use and Management of Waters of the State. - Acknowledges that rights, including water rights, may be established as part of federal land reservations. (KH)	H Rules X
HB 2116	Grant, Linville	Allowing a Withdrawal of Water for Stock-watering Purposes Without a Ground Water Permit. - Expressly limits the stock-watering exemption from ground water permit requirements to 5,000 gallons per day for new rights for stock-watering. Exempts an existing withdrawal of ground water for stock-watering from this limitation to the maximum extent of the withdrawal before the effective date of the bill. (KH)	H Rules X
EHB 2140	Grant, Linville	Reaffirming the Role of the State Conservation Commission. - (As Amended by the Senate) Moves statutes relating to the establishment and operation of the Conservation Commission (Commission) from the conservation districts statutes to the statutory title related to state agencies. Increases the number of members on the Conservation Commission from 10 to 12, adding one member appointed by a livestock trade organization and one member who is a crop producer appointed by a statewide organization representing the interests of a wide range of farming operations. Specifies these additional members are to be confirmed by the conservation district supervisors at their annual meeting and are to serve a term of four years. Adds requirements regarding the operation and duties of the Commission. Adds reporting requirements by conservation districts to the Commission. Includes numerous technical revisions. (CD)	H Rules C (The bill passed the Senate before the end of the Regular Session.)

BILL NO.	PRIME SPONSORS	SUMMARY	SINE DIE STATUS
HJM 4007	Hinkle, Chopp, Haigh	Requesting the Issuance of an American Coalminers Stamp. - Requests the United States Postal Service to create a postage stamp commemorating American coal miners. (CD)	H Rules 3C (The bill reached S 2nd Reading before the end of the Regular Session.)
SSB 5023	Honeyford, Hale	Concerning the Construction of an Additional or Replacement Well. - (As Amended by H AGNR Committee) Authorizes changes of existing ground water rights to new locations within a water resource inventory area (WRIA) or in an adjacent WRIA, instead of new locations tapping the same water body. Authorizes the use of other existing wells to exercise a water right under certain circumstances. Expands the area in which new or replacement wells may be constructed under an existing right without a requirement that departmental approval be obtained; and identifies a new area in which new locations for wells may be authorized through a notification and publication process. (KH)	S Rules 3 (The bill reached H 2nd Reading before the end of the Regular Session. It is similar to ESHB 1337 which reached S Rules 2 before the end of the Regular Session.)
2SSB 5024	Honeyford, Hale	Concerning Public Water Systems. - Defines which water rights are held for municipal water supply purposes and establishes provisions regarding such rights. Declares the rights represented by certificates issued under a "pumps and pipes" principle to be rights in good standing as long as they are used or to be used in a manner that is consistent with that principle. Identifies how the "place of use" of a municipal water supplier's water right may be the same as the supplier's service area and when limitations found in water right documents do not limit the number of service connections or population that may be served under a municipal water right. Requires water service under water system plans for new industrial, commercial, and residential uses to be consistent with comprehensive plans, land use plans, and development regulations of cities, towns, and counties and establishes a duty for a supplier to serve new residences in the service area under certain criteria. Requires certain water conservation planning and practices. Authorizes certain watershed agreements on a pilot project basis. (KH)	S Rules 3 (The bill reached H Appropriations before the end of the Regular Session. It is on the same subject as 2E2SHB 1338 which was enacted as Chapter 5, Laws of 2003 1st Special Session.)
2SSB 5027	Morton, Rasmussen, Hale	Providing for Locally Developed Watershed Planning. - Directs planning units to coordinate and oversee the implementation of watershed plans and authorizes a state grant program for these activities. Requires the planning units to provide for the periodic review of approved plans. Requires rules adopted by the Department of Ecology (DOE) for implementing its watershed obligations to be developed under negotiated rule-making and allows the DOE to amend approved plans by rule through such negotiated rule-making. Requires all watershed planning to include time-lines and interim milestones for achieving certain water supply objectives. Requires instream flow requirements to be set in each water resource inventory area (WRIA). Requires the coordination of the development of "total maximum daily loads" by the DOE for water quality under federal law with watershed planning conducted for water quality. Requires the coordination of salmon recovery project list development with watershed planning conducted for habitat. (KH)	S Rules 3 (The bill reached H Rules R before the end of the Regular Session. It is similar to 2E2SHB 1336 which was enacted as Chapter 4, Laws of 2003 1st Special Session.)

BILL NO.	PRIME SPONSORS	SUMMARY	SINE DIE STATUS
SB 5075	Morton, Fraser, Oke	Authorizing the Department of Natural Resources to Accept Gifts of Aquatic Land. - Authorizes the Department of Natural Resources to accept gifts of aquatic lands. (JC)	S Rules 3 (The bill reached H Rules R before the end of the Regular Session. It is identical to HB 1246 which was enacted as Chapter 176, Laws of 2003.)
ESB 5106	Hewitt, Hale, Sheldon, T.	Concerning the Annual Consumptive Quantity of a Water Right, Stock Watering, and Agricultural Uses of Water. - Identifies the extent to which stock-watering is exempt from the water right permit requirements of the ground water code. Alters the calculation of the "annual consumptive quantity" when determining how much water may be spread to additional acreage or new uses and modifies the evaluation made by the Department of Ecology regarding applications for spreading the water. Allows certain changes of use of water within a general category of an agricultural use of water which may be made without using the formal change, transfer, or amendment process for modifying existing water rights. (KH)	S Rules 3 (The bill reached H 2nd Reading before the end of the Regular Session.)
SSB 5145	Mulliken, Sheldon, T.	Concerning Withdrawals of Public Ground Waters. - States that the use of "exempt wells" for single or group domestic use should be clarified. (KH)	S Rules 3 (The bill reached H Rules R before the end of the Regular Session.)
SSB 5235	Hargrove, Morton, Doumit	Exempting Certain Forest Practices from the Environmental Impact Statement Requirements of SEPA. - Consolidates State Environmental Policy Act (SEPA) appeals arising from state timber sales at the Forest Practices Appeals Board. (JC)	S Rules 3 (The bill reached H Appropriations before the end of the Regular Session.)
SSB 5345	Haugen, Swecker, Doumit	Excluding Certain Drainage Infrastructure from Fishway Provisions. - Prohibits the Department of Fish and Wildlife (DFW) from requiring the installation of a self-regulating tide gate (SRT) as a condition of hydraulic project approval (HPA) unless certain conditions are satisfied. Exempts tide gates or flood gates from statutory fish passage requirements. Establishes criteria the DFW must use when implementing fish passage requirements or imposing HPA conditions for any drainage infrastructure projects on agricultural lands of long-term commercial significance. Creates a task force to address issues related to agricultural drainage systems and provides for the task force to conduct specified assessments. Requires the DFW to create a salmon habitat restoration plan for all public lands in Skagit County. (CD)	S Rules 3 (The bill reached H Rules C before the end of the Regular Session. It is similar to E2SHB 1418 which was enacted, with a partial veto, as Chapter 391, Laws of 2003.)
ESSB 5352	Haugen, Swecker, Doumit	Encouraging Agricultural Land Use Conservation Programs. - Specifies legislative intent to address concerns regarding the Conservation Reserve Enhancement Program to promote enrollment. (CD)	S Rules 3 (The bill reached H Rules R before the end of the Regular Session.)

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But Not Reported from the Committee**

BILL NO.	PRIME SPONSORS	SUMMARY	SINE DIE STATUS
HB 1097	Linville, Hinkle	Directing the Department of Ecology to Conduct Pilot Rule Making to Establish and Assign Trust Authorization Credits. (ESHB 1640, a bill on this subject, was enacted as Chapter 144, Laws of 2003.)	HAgric & NR (Hearing held 1/29/03 2/4/03)
HB 1125	Schoesler, Linville, Cox	Concerning the Slaughter, Preparation, and Sale of Certain Chickens. (The bill is similar to ESHB 1754 which was enacted as Chapter 397, Laws of 2003.)	HAgric & NR (Hearing held 2/7/03)
HB 1419	Quall, Schoesler, Blake	Providing for Compensating Property Owners for Damages Caused by Conditions in Hydraulic Project Approvals.	HAgric & NR (Hearing held 2/5/03)
HB 1421	Quall, Schoesler, Morris	Creating a Program for Restoration and Enhancement of Salmonid Habitat on Publicly Owned Lands.	HAgric & NR (Hearing held 2/5/03)
HB 1535	Holmquist, Grant, Schoesler	Exempting Certain Withdrawals of Water from Ground Water Permit Requirements.	HAgric & NR (Hearing held 2/12/03)
HB 1536	Holmquist, Grant, Schoesler	Concerning the Annual Consumptive Quantity of a Water Right. (The bill is similar to ESB 5106 which reached H 2nd Reading before the end of the Regular Session.)	HAgric & NR (Hearing held 2/12/03)
HB 1537	Chandler, Grant, Delvin	Concerning the Relinquishment of Water Rights.	HAgric & NR
HB 1538	Schoesler, Holmquist, Benson	Regarding Water Resources.	HAgric & NR (Hearing held 2/12/03)
HB 1540	Kristiansen, Woods, Chandler	Concerning the Use of Public Ground Water for Municipal or Domestic Supply.	HAgric & NR
HB 1541	Delvin, Chandler, Clements	Giving Local Citizens and Governments Authority to Determine the Allocation and Management of Water in a Water Resource Inventory Area.	HAgric & NR
HB 1542	Kristiansen, Woods, Benson	Concerning Public Water Systems. (2SSB 5024 on this subject reached H Appropriations before the end of the Regular Session and 2E2SHB 1338 on this subject was enacted as Chapter 5, Laws of 2003 1st Special Session.)	HAgric & NR
HB 1543	Holmquist, Chandler, Grant	Creating the Washington Water Commission.	HAgric & NR
HB 1749	Grant, Schoesler, Ahern	Concerning Withdrawals of Public Ground Waters. (The bill is similar to SSB 5145 which reached H Rules R before the end of the Regular Session.)	HAgric & NR (Hearing held 2/19/03)

BILL NO.	PRIME SPONSORS	SUMMARY	SINE DIE STATUS
HB 1757	Holmquist, Grant, Hinkle	Modifying Water Relinquishment Provisions.	HAgric & NR
HB 1758	Schoesler, Haigh	Concerning the Slaughter, Preparation, and Sale of One Thousand or Fewer Chickens. (The bill is similar to ESHB 1754 which was enacted as Chapter 397, Laws of 2003.)	HAgric & NR
HB 1892	Schual-Berke, Upthegrove, Miloscia	Limiting the Department of Ecology's Review Authority.	HAgric & NR
HB 1964	Delvin, Hankins	Regarding Residential Use of Ground Water. The bill is on the same subject as SSB 5145 which reached H Rules R before the end of the Regular Session.)	HAgric & NR
HB 2023	Linville	Regarding the Dairy Nutrient Management Program.	HAgric & NR (Hearing held 2/25/03)
HB 2085	Condotta, Armstrong, Sump	Concerning the Return or Recharge of Ground Water.	HAgric & NR
HB 2102	Hunt, Linville, Romero	Concerning Accountability by Private Owners of Public Water Systems to Provide Required Water Service.	HAgric & NR (Hearing held 3/4/03)
HB 2104	Grant, Linville, Eickmeyer	Concerning Agricultural Use of Water. (A bill on this subject, ESB 5106 reached H 2nd Reading before the end of the Regular Session.)	HAgric & NR (Hearing held 2/4/03)
HB 2181	Hinkle	Making Water Available for Increased Subdivision and Short-subdivision Residential Densities.	HAgric & NR
HB 2182	Hunt, Romero	Revising Exemptions from Water Well Construction License Requirements.	HAgric & NR
HB 2207	Hatfield	Establishing a System of Standards and Procedures Concerning Water Quality Data.	HAgric & NR
HCR 4405	Linville	Creating the Joint Select Committee on the Legacy Trust Proposal.	HAgric & NR
SSB 5025	Honeyford, Mulliken, Hale	Concerning the Reversion of Water Rights to the State.	HAgric & NR (Hearing held 4/2/03)
SSB 5077	Honeyford, Rasmussen, Doumit	Clarifying That Certain Uses of Water Are Exempt from the Requirements of Obtaining a Permit under the Ground Water Code.	HAgric & NR (Hearing held 3/28/03)
SB 5195	Swecker, Rasmussen, Sheahan	Forwarding Grain When an Emergency Storage Situation Exists. (The bill is identical to HB 1101 which was enacted as Chapter 13, Laws of 2003.)	HAgric & NR
SB 5197	Swecker, Rasmussen, Jacobsen	Moving a Web Site Address from Statute to Rule. (The bill is identical to HB 1117 which was enacted as Chapter 15, Laws of 2003.)	HAgric & NR

BILL NO.	PRIME SPONSORS	SUMMARY	SINE DIE STATUS
SB 5346	Haugen, Swecker, Doumit	Requiring Compensation for Damage by Required Changes to Tide Gate Operation.	HAgric & NR (Hearing held 4/2/03)
SB 5349	Haugen, Swecker, Doumit	Including Drainage Ditches and Tide Gates Within the Scope of a Special District's Flood Control and Drainage Control Activities. (The bill is similar to HB 1420 which was enacted as Chapter 392, Laws of 2003.)	HAgric & NR
SSB 5540	Sheahan, Rasmussen	Allowing Seed Testing Fees to Increase in Excess of the Fiscal Growth Factor. (The bill is similar to HB 1126 which was enacted as Chapter 308, Laws of 2003.)	HAgric & NR
SB 5552	Sheahan, Rasmussen, Swecker	Increasing the Powers of the State Agricultural Commodity Commissions.	HAgric & NR
SB 5665	Rasmussen, Swecker	Changing Irrigation District Administration Provisions.	HAgric & NR (Hearing held 4/2/03)
SSB 5859	Benton	Creating the Crime of Mineral Trespass.	HAgric & NR (Hearing held 3/25/03)
SB 5895	Rasmussen, Swecker, Shin	Increasing the Apple Commission from Thirteen to Fifteen Members. (The bill is identical to HB 1890 which reached S 2nd Reading before the end of the Regular Session.)	HAgric & NR
ESSB 5969	Haugen, Swecker, Rasmussen	Providing Natural Resource Protection in Skagit County.	HAgric & NR